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TERMINAL DISCLAIMER TO OBVIAE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENTDocket Number (Optional)
ASA-863-03

In re Application of: Y. INABA et al.

Application No.: 10/718,699

Filed: November 24, 2003

For: METHOD OF AND AN APPARATUS FOR RETRIEVING AND DELIVERING DOCUMENTS AND A RECORDING MEDIA ON WHICH A PROGRAM FOR RETRIEVING AND DELIVERING DOCUMENTS ARE STORED

The owner*, **Hitachi, Ltd.**, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. **6,549,898** as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event said prior patent later:

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- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
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2. The undersigned is an attorney or agent of record. Reg. No. 32,846

/Daniel J. Stanger/
Signature

September 24, 2007
Date

Daniel J. Stanger
Typed or Printed Name

(703) 684-1120
Telephone Number

Terminal Disclaimer Fee Under 37 CFR 1.20(d) included.

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